

Introduced by Senator Vasconcellos

February 20, 2003

An act to amend Section 49455 of the Education Code, relating to pupil health.

LEGISLATIVE COUNSEL'S DIGEST

SB 606, as introduced, Vasconcellos. Pupil health: vision appraisal.

Existing law requires, upon first enrollment in a California school district of a child at a California elementary school, and at least every 3rd year thereafter until the child has completed the 8th grade, the child's vision to be appraised by the school nurse or other authorized person, as specified.

This bill would also require that if an vision appraisal is conducted, each child is to receive a notice and questionnaire regarding the child's vision, which he or she would be instructed to deliver to his or her parent or guardian, thus resulting in a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.



The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the
2 following:

3 (a) The people of California recognize the significance of
4 ensuring that each and every child is tested periodically for vision
5 acuity.

6 (b) Children with treatable vision obstacles that go
7 undiagnosed, whose parent or guardian may not be aware of
8 alternative screening measures available to address their specific
9 needs, can become inattentive, too often underachieve, and are
10 often labeled as “at risk” children.

11 (c) There is growing evidence that many children in the public
12 education system, and more within the juvenile justice and
13 correctional systems, who performed poorly in school were
14 affected by undiagnosed vision problems including letter
15 reversals, lack of eye-teaming, poor focusing, eye tracking, and
16 visual perception difficulty that went undiagnosed based upon the
17 current standards for vision testing.

18 (d) Vision acuity consists of more than 20/20 eyesight and the
19 standard for vision screening should maximize the potential for
20 diagnosing treatable vision problems at a time critical to making
21 a difference to the child’s educational development by addressing
22 a child’s ability to understand and interpret visual information.

23 SEC. 2. Section 49455 of the Education Code is amended to
24 read:

25 49455. (a) Upon first enrollment in a California school
26 district of a child at a California elementary school, and at least
27 every third year thereafter until the child has completed the eighth
28 grade, the child’s vision shall be appraised by the school nurse or
29 other authorized person under Section 49452. This evaluation
30 shall include tests for visual acuity and color vision; however,
31 color vision shall be appraised once and only on male children, and
32 the results of the appraisal shall be entered in the health record of
33 the pupil. Color vision appraisal need not begin until the male
34 pupil has reached the first grade. Gross external observation of the
35 child’s eyes, visual performance, and perception shall be done by
36 the school nurse and the classroom teacher. ~~The~~

37 (b) *Upon the performance of an appraisal pursuant to*
38 *subdivision (a), each child shall receive a notice and questionnaire*



1 regarding the child's vision. Each child shall be instructed to
2 deliver the notice and questionnaire to his or her parent or
3 guardian. The notice and questionnaire shall contain the following
4 language:

5 "Dear Parent or Guardian:

6
7 Your child's ability to see clearly and accurately interpret visual
8 information is crucial to his or her learning and success in school.
9 To aid in identifying additional vision-related difficulties that may
10 not have been discovered through existing visual health testing
11 procedures at your child's school, but may merit treatment by a
12 qualified health care professional, the Legislature has passed a
13 law requiring that this notice and questionnaire be sent home with
14 your child if he or she has received vision acuity or color visual
15 screening at their school.

16 This notice contains a questionnaire which you are encouraged
17 to complete.

18 PLEASE IDENTIFY ANY OF THE FOLLOWING
19 STATEMENTS THAT DESCRIBE YOUR CHILD:

20 Your child is behind by one or more grade levels in school.

21 Your child's school performance is not up to his or her potential.

22 Your child complains of blurred vision while reading and
23 writing.

24 Your child uses a finger or fingers as a marker when reading.

25 Your child makes frequent reversals when reading and writing.

26 Your child skips and rereads words or letters.

27 Your child omits or confuses small words when reading.

28 Your child frowns or squints to see.

29 Your child turns or tilts his or head in order to use one eye only.

30 Your child avoids close work or detailed activities.

31 Your child reads in dim light.

32 Your child loses place while reading.

33 Your child holds reading materials closer than normal.

34 Your child is bothered by glare from a page.

35 Your child is sensitive to bright light.

36 Your child reports the sensation of his or her eyes 'not working
37 together.'

38 One of your child's eyes turns inward, outward, upward, or
39 downward at any time.

1 *Your child tires of looking at materials closely in a short amount*
2 *of time.*

3 *Your child reports pain around or in either or both of his or her*
4 *eyes.*

5 *Your child has red, irritated eyes or eyelids.*

6 *Your child experiences excessive tearing of his or her eyes.*

7 *Your child rubs his or her eyes frequently.*

8 *Your child closes or covers one eye in bright light or during*
9 *visual tasks.*

10 *After reading or close work, your child's distance vision is*
11 *blurry.*

12 *Your child notices that print swims, moves, floats, or doubles.*

13 *Your child sees double (two of a single thing).*

14 *Your child gets headaches with eye use.*

15 *Your child experiences difficulty with eye-hand-body*
16 *coordination.*

17 *Your child tends to bump into objects.*

18 *IF THE ANSWER WAS 'YES' TO TWO OR MORE OF THE*
19 *STATEMENTS ABOVE, YOU ARE ENCOURAGED TO SHOW*
20 *THIS QUESTIONNAIRE TO, AND HAVE YOUR CHILD*
21 *ASSESSED BY, A QUALIFIED HEALTH CARE*
22 *PROFESSIONAL."*

23
24 *(c) The evaluation and screening performed pursuant to this*
25 *section may be waived, if the child's parents so desire, by their*
26 *presenting of a certificate from a physician and surgeon or an*
27 *optometrist setting out the results of a determination of the child's*
28 *vision, including visual acuity and color vision.*

29 *The*

30 *(d) This provisions of this section shall does not apply to any*
31 *child whose parents or guardian file with the principal of the*
32 *school in which the child is enrolling, a statement in writing that*
33 *they adhere to the faith or teachings of any well-recognized*
34 *religious sect, denomination, or organization and in accordance*
35 *with its creed, tenets, or principles depend for healing upon prayer*
36 *in the practice of their religion.*

37 SEC. 3. It is the intent of the Legislature that any funds
38 appropriated to implement existing vision appraisal services shall
39 be used to support the requirements imposed by subdivision (b) of
40 Section 49455 of the Education Code.

1 SEC. 4. State and federal funds appropriated in support of
2 pupil vision appraisals or screening programs, including, but not
3 limited to, funds made available through an appropriate item in the
4 annual Budget Act, shall be considered additional revenue in
5 accordance with subdivision (e) of Section 17556 of the
6 Government Code and shall be used to offset any state-mandated
7 local costs incurred by school districts when complying with this
8 article.

9 SEC. 5. No reimbursement is required by this act pursuant to
10 Section 6 of Article XIII B of the California Constitution because
11 the only costs that may be incurred by a local agency or school
12 district will be incurred because this act creates a new crime or
13 infraction, eliminates a crime or infraction, or changes the penalty
14 for a crime or infraction, within the meaning of Section 17556 of
15 the Government Code, or changes the definition of a crime within
16 the meaning of Section 6 of Article XIII B of the California
17 Constitution.

